

Appendix D
Summary of Public Comments and Agencies' Responses
Ma-le'l Dunes CMA Access Planning and Environmental Review

<i>Comments received on draft Plan</i>	<i>Document Revised</i>	<i>Agencies' Responses</i>
Comments to Plan		
<u>Bear River Band of Rohnerville Rancheria</u>		
The Tribe wants to participate in mitigation planning, if adverse affects to cultural resources	Yes	Built the request into Mitigation 10.
The Tribe wants to be included consulted in annual assessments of archaeological sites.	Yes	Built the request into Mitigation 10.
The Tribe supports alternative A	No	
The Tribe wants to be included as an interested Tribal group throughout the document where appropriate. And want to be consulted on the plan and other activities in the area.	Yes	Tribes were contacted for preferred language to use when referencing each Tribe.
Insert in 2.2.1 Par.2 Line 2: That Wiyot used ocean going canoes for resource extraction.	Yes	Information added to Wiyot cultural description
<u>Waterfowl Hunters</u>		
Concerns over prohibition of guns throughout the CMA.	Yes	Have revised the Executive Summary and Section 4.1 to exclude legal waterfowl hunting from prohibition.
Section 1.2: Inadequate listing of recreational uses for which improvements are recommended.	Yes	Added passive boating list of recreational activities.
Section 1.3.1: Project area definition should include hunt area.	No	Hunting issues are being addressed in the USFWS' Comprehensive Conservation Planning (CCP) Process, a separate federal public process allowing for public comment.
Section 1.4.1: What is BLM Arcata Resource Management Plan	No	A plan that addresses goals and objectives for BLM land under management by the Arcata BLM Field Office.
Section 1.4.1 USFWS-HBNWRC: Waterfowl hunting needs to be addressed as pre-existing use.	Yes	Section revised to state that hunting issues are being addressed in the USFWS' Comprehensive Conservation Planning (CCP) Process, a separate federal public process allowing for public comment.
Section 1.6 Environmental	No	The discussion in document

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Compliance: Delete firearms except shotguns during waterfowl season.		pertains to Ma-le'l South, owned by BLM, where firearms are prohibited.
Section 2.2.1: Plan acknowledges waterfowl hunting; Section 2.2.2 makes no mention of consumptive waterfowl use, though it is included in Section 2.2.1.	No	Comment noted
Section 2.2.3: What is coordinated management	No	Coordinated efforts between the owner land managers (BLM and USFWS) to ensure continuum of experience over whole CMA. (
Section 2.2.3: Fifth Para. : Why would Resource Management Area for the Arcata Planning Area have any impact on federal reserve?	Yes.	BLM and USFWS are adjacent landowners of the Ma-le'l CMA. Therefore, cooperative management is necessary to protect resource values and provide for appropriate public uses. Paragraph modified to correct timeline for CCP and provide for an agreement (MOU changed to Agreement) between USFWS and BLM for [added language] allowable activities.
Section 4.0 General comments as relate to waterfowl hunting (dogs off leash, kayak/boat launching and landing locations, designated pedestrian trail use)	No.	Hunting issues are being addressed in the USFWS' Comprehensive Conservation Planning (CCP) Process, a separate federal public process allowing for public comment.
Section 4.1.8 first paragraph, last sentence	Yes	Sentence changed to read "Due to potential erosion and adverse impacts to sensitive species, boat access and landing will be limited to a designated site located at Ma-le'l North parking area."
Section 4.5.1 Regulatory Signing Bullet 3	Yes	"Prohibition" has been replaced with "restrictions".
Section 4.5.1 Regulatory Signing Bullet 5	Yes	Bullet deleted.
<u>Humboldt Bay Oyster Company</u>		
Page 4-33: "prohibition of boating" or	Yes	"Prohibition" has been replaced

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"permitted boating speed" should be eliminated from Plan.		with "restrictions". Bullet referring to boating speed deleted.
There should be signage about dog waste disposal. Consider providing bags for dog waste disposal.	No	Signage will be developed to address appropriate use of areas and potential impacts from those uses. A caretaker will be onsite, and regular patrolling/monitoring should help to address this concern.
CMA maps in Plan and onsite at Ma-le'l South reflect inconsistent property boundaries.	No	Comment noted.
<i>Comments received on draft IS/EA</i>	<i>Document Revised</i>	<i>Agencies' Responses</i>
Comments to IS/EA		
Mitigations 7-10. Want the Bear River Band of the Rohnerville Rancheria to be informed, consulted and play a role in any mitigation for cultural resources and would cooperate in monitoring of the resources.	Yes	Language revised to include all three Wiyot tribes.
Blue Lake Rancheria		
Water development at Ma-le'l South should mention that the water is potable at beginning of document. Important for Tribe to have potable water for cultural use of basket materials.	Yes	Potable water is mentioned at the beginning of document. Potable water will be added in Phase two.
Want the mitigation # 10 to include a tribal representative not just an archaeologist.	Yes	Mitigation language changed.
Mitigation #10 should state that the results of the cultural resources monitoring will also be conveyed to the tribes.	Yes	Mitigation #10 changed to include Tribes
Wants the wording throughout the document to include all three local tribes. All three tribes should be included at all levels of consultation.	Yes	Wording in document changed to include three Wiyot tribes. Tribes contacted for further consultation.
Tribe supports Alternative A	No	
Ma-le'l North Road Access		
There were a number of comments requesting that vehicle access to Ma-	Yes	Plan was revised to limit vehicular access to Friday

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le'l North is limited to a few days a week to protect native landscapes, limit wildlife disturbance, invasive species introductions and retain wilderness qualities.		through Monday.
Don't further develop parking area at Ma-le'l North.	No	Current condition inadequate for projected use.
Don't improve road leave potholes to slow drivers. Consider speed bumps to slow traffic.	Yes	Speed bumps will be placed along road.
Move parking lot closer to Gun Club.	No	Not feasible due to space limitations.
Make open/close/tow times the same as South Jetty for consistency of regulations.	No	We do not have surfers and there is not a compelling reason to open before sunrise. It would add burden to caretaker.
<u>Signage</u>		
USFWS posts refuge signs in navigable waters believes this is illegal and hazardous.	No	FWS will survey signs to make sure none are posted in navigable water.
No RV's or trailers at Ma-le'l North due to limited space.	Yes	Informational kiosk will inform public of parking limitations
Non-motorized boat launching only.	No	This is in plan.
Proposed signage of 250' too much/intrusive. Line of sight is preferred. Signage at Ma-le'l South has marred the area's beauty more than demarcated trails. Prefer Alternative D.	No	Signage will be as needed to meet enforcement needs around boundaries and at demarcation of management change. Signage may initially be spaced more closely until use patterns are established
More signage to prevent trespass on private property	No	See above.
New sign technology. More sign maintenance budget.	No	Funding is not available.
Shift boundary signs between Ma-le'l North and South from northwest corner of Gun Club.	No	BLM does not wish to close existing uses on its property.
RCG sign may be too vague. May need to say live ammunition is used		
<u>Canoe/Kayak Access</u>		
Increase launch points at Iron Creek and near lower Mad River Slough area.	No	Plan increases number of launch sites in area by adding formal launch site at Ma-le'l North parking area.

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<u>Vegetation Gathering</u>		
Advocate not allowing fungi gathering in Ma-le'l North. A compromise would be to rotate collecting trails from year to year. Restrict number of fruiting bodies a person can collect.	Yes	Vegetative and mushroom gathering will be allowed at Ma-le'l South only, from May – November on designated trails. No gathering will be allowed at Ma-le'l North.
<u>Dogs</u>		
Allow off-leash dogs at Ma-le'l North. Run free on wave slope. Leashed on all trails. Exclude dogs altogether.	No.	This is not an appropriate use at Ma-le'l North. Ma-le'l South allows off-leash dog use. To avoid dogs, use Ma-le'l North. The current plan allows for a continuum of recreational uses with the most restrictive to the north where the area is more pristine, and least restrictive to the south.
<u>Horses</u>		
Limit to wave slope.	No	To avoid horses, use Ma-le'l North.
<u>Camping</u>		
No camping - destructive to habitat and there are bathroom issues.	No	As noted in plan, camping is allowed only on a case by case basis at Ma-le'l South, which allows for control of impacts. Any camping would be near bathrooms.
<u>Bicycle Access</u>		
There will be the ongoing issue of bikes going on the trails.	No	We expect to need strong enforcement from caretaker to prevent this and similar situations.
<u>Trails</u>		
Standard width of 3 to 6 feet too wide. Should use the Class 4 trail designation used by DPR and CCC. Single tread.	No	The ADA trail will be 5 ft. all other trails will stay the present width.
Trail goes around seasonal wetland instead of over it. Or use logs from the beach.	No	Bridge will span wetlands (upland to upland). Logs not a safe option.
Plan for seamless trail on North Spit.		To the extent feasible, the trail system on the CMA integrates with other trail systems on the North Spit. The wave slope

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		provides a seamless trail along the north spit.
<u>View Decks</u>		
Railing height of 36" may be too short; 48" may be needed for liability reasons.	No	Comment noted.
On-ground viewing platform instead of structure.	Yes	The viewing platform on top of dune has been removed from plan. The wetland view deck is replacing an existing structure and will not have additional impacts other than temporary construction.
<u>Caretaker Issues</u>		
Towing issues related to caretaker position as a volunteer. Training is needed to deal with irate individual.	No	Comment noted.
Will FWS be billed for tow?	No	We will need to arrange for an intermediary to assist with this.
Who will carry out caretaker duties When she/he is out of town?	No	There will be volunteer or staff available to step in as back-up. The caretaker is not expected to be present on site 24-7.
<u>Gun Club</u>		
Mistakes in referencing gun club as private.	Yes	Gun Club status corrected.
Firearms etc prohibited, include that RCG members and guests can have on their property and while traversing the access road.	Yes	Gun Club status corrected.
<u>Other Comments</u>		
Recognize individuals that helped secure the Ma-le'l Dunes for public access.	No	There will be a plaque, and recognition will occur at the ceremony.